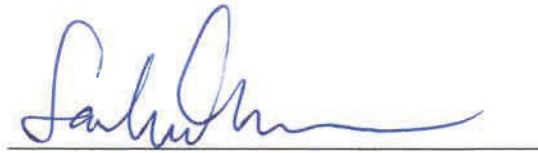


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KIRBY DEVELOPMENTS LLC,	:	
	:	
Plaintiff	:	Case No. 2:18-CV-00500
	:	
v.	:	
	:	JUDGE MORRISON
XPO GLOBAL FORWARDING, INC.,	:	
et al.,	:	
	:	MAGISTRATE JUDGE JOLSON
Defendants.	:	

**ORDER DISMISSING PLAINTIFF'S CLAIMS WITH PREJUDICE AND DISMISSING
DEFENDANT XPO'S CROSSCLAIMS WITHOUT PREJUDICE**

This matter came before the Court on the Joint Motion to Dismiss (ECF No. 251) filed by Plaintiff Kirby Developments LLC (“Kirby”) and Defendants XPO Logistics, Inc. (“XPO Logistics”) and XPO Global Forwarding, Inc. (“XPO Global Forwarding”) (together, “XPO”) (collectively, the “Parties”). For the reasons set forth in the Motion, and for good cause shown, it is hereby **ORDERED** that the Motion is **GRANTED**. (ECF No. 251.) Plaintiff Kirby’s claims against Jason Adkins, John Eckerd, Afif Baltagi, XPO Logistics, Inc., and XPO Global Forwarding, Inc. are **DISMISSED** with prejudice and XPO's cross-claims against Afif Baltagi are **DISMISSED** without prejudice. Nothing in this Order, however, shall affect any judgments that Kirby previously obtained against any Defendant herein. Each party is to bear its own attorney’s fees, costs, and expenses.



Judge Sarah D. Morrison
United States District Judge